

### **Remarks/Arguments**

The Office Action dated January 25, 2006, has been noted, and its contents carefully studied. In light of the foregoing amendments and following comments, reconsideration of the rejection under 35 U.S.C. §§ 103 and 112 is courteously requested.

With respect to the objections to claims 1, 10 - 12 and 21 - 25, they have been amended to appropriately depend from claims that have not been canceled and are presented for examination. As to claim 1 the term "sewer" has been changed to "server."

Turning now to the 35 U.S.C. § 112 rejection of the claims 1 and 13, and dependent claims 2 - 6, 8 - 12, 14 - 17, 19 - 25 and 27 as failing to comply with the enablement requirement of 35 U.S.C. § 112, it is respectfully urged that amendments to the claims which are of a clarifying nature are now sufficient to clarify the specific connections as enabled by the description and shown by the drawings in a manner which allows the Examiner to withdraw the 35 U.S.C. § 112 rejection of the claims. More specifically, claim 1 and claim 13 now clearly recite that the computer system includes a server connected to a target device through a SCSI cable and the server is also connected to a workstation. Thus the SCSI cable is described as connecting the server and the target device and this is supported and enabled by the description of paragraphs 11, 23, 24 and Figures 2 and 3.

With respect to the rejection of the dependent claims as incorporating the same subject matter as the independent claims from which they depend, applicant fails to understand the rejection without the Examiner providing further elaboration. However, it is believed that this rejection relates to the specific connections recited in claims 1 and 13 which have now been clarified. In all other aspects, the depending claims recite additional features of the invention, and the 35 U.S.C. § 112 rejection concerning enablement of claims 1 and 13 having been addressed, it is now respectfully urged that the 35 U.S.C. § 112 rejection of the depending claims no longer applies.

With the respect the Examiner's objections to the claims under 35 U.S.C. § 112 and in particular claims 2, 4 and 14 based on the Examiner's failure to understand the differences

between the different structurings of the SCSI requests, it is respectfully urged that the amendments to the claims now provide further clarification which should enable the Examiner to withdraw the 35 U.S.C. § 112 rejection. More specifically, exemplary references made to claim 2 which now recites that the encoding field of the SCSI request is direct from the workstation over the TCP/IP connection between the workstation and the target device, i.e., not over the SCSI cable, and in a manner substantially the same as a direct SCSI request over the SCSI cable. In this regard, it is the encoding to which the limitations are directed, recognizing the fact that the requests are transmitted over a different type of connection, i.e., a TCP/IP connection as opposed to a SCSI cable. The specification is enabling as to this aspect, and clearly shows how this is done beginning at paragraph 25 and in particularly paragraph 28 *et. seq.* of the specification.

Turning now to the invention as claimed, reference is initially made to the prior responses filed herein. Yet still further, the invention relates to both a method and a system for transmitting requests to a target device in which network connections are established between a SCSI cable between a server and a target device, and a separate connection is established between the server and a workstation. A direct TCP/IP connection is established between the workstation making up part of the computer system and a target device on the network. The method involves encoding a SCSI request with a tag identifying the request as a SCSI request and structuring the request with a request IP/ID at the workstation. The tagged SCSI request is sent to the target device directly from the workstation through the TCP/IP connection. The request IP/ID of the SCSI request is returned from the target device directly to the workstation of the computer system through the TCP/IP connection.

It is respectfully urged that the invention as recited in all of the claims is not anticipated by or obvious from the cited references under 35 U.S.C. § 102 and/or § 103, as will become more clearly evident as from the following detail discussion thereof.

U.S. Patent No. 6,836,830 through Yamagami

U.S. Patent No. 6,836,830 through Yamagami et al (“Yamagami”) has been cited to reject the claims as obvious under U.S.C. § 103.

Initially, it is noted that Yamagami et al is not effective as a reference. Yamagami has an effective priority date of May 31, 2000. It is noted that in a prior response, applicant submitted an Inventor Declaration under 37 CFR 1.131 establishing dates of conception and reduction to practice of the invention at least as early as January of 2000. The declaration made reference to U.S. Patent No. 6, 697,855 to Sherrit et al, which had an effective date of November, 2000. In this case, it is noted that the date established by that declaration also applies to the effective date of the Yamagami et al. reference which is May 31, 2000. Since January, 2000 is earlier than May, 2000, applicant has already established by prior declaration that Yamagami cannot be effective as a reference against the claimed invention.

Turning also to the teachings of Yamagami, it is noted that Yamagami relates to a computer system having a computer, and a storage system with user storage units which are coupled to the computer for storing user data used by the computer. A backup device is coupled to the computer in the storage system, and a backup method is presented for obtaining a backup of the data stored in the storage unit to the backup device. More specifically, user data used by a computer in a storage unit system is held dually in first and second storage units and the storage system operates to update the user data of the first storage unit and to reflect the updated content onto the second storage unit in response to a request for updating the user data given from the computer (see column 2, lines 45, *et. seq.*).

Thus, Yamagami clearly fails to teach a method of transmitting a request to a target device in which network connection is through a SCSI cable between a server and a target device and a where separate connection is established between the server and a workstation. This allows, in a manner not shown or rendered obvious by Yamagami alone or in combination with other references, the establishment of a direct TCP/IP connection between the workstation making up a part of the computer system and a target device. In the invention, SCSI requests can be encoded with a request to IP/ID at the workstation and sent directly from the workstation through the TCP/IP connection (as opposed to through a SCSI cable) to the target device.

Thus, not only is Yamagami ineffective as a reference for the reasons given, but also, even if effective as a reference, fails to render obvious applicant's claimed invention standing alone or in combination with the other references.

#### Newton's Telecom Dictionary

Newton's Telecom Dictionary ("Newton") has been cited for the proposition that the definition of server therein supports an absence of a distinction argued between applicant's claimed invention and the cited prior art. In this regard, while it is acknowledged that the term "server" can have many meanings, Newton adds nothing to the teachings of Yamagami. More specifically, while the Examiner has asserted that Yamagami distinguishes between SCSI requests over a SCSI cable and sending a SCSI request over a TCP/IP connection, this is simply not the case, and without this teaching, Newton adds nothing to the teachings of Yamagami, which as previously also urged, is also ineffective as a reference. The section cited at column 4 of Yamagami merely teaches that communications through the network are executed along the network protocol such as TCP/IP or UDP. This has nothing to do with structuring a request as a SCSI request over a TCP/IP connection which is clearly supported and described in applicant's specification.

Finally, while U.S. Patent No. 6,470,382 to Wang et al is discussed as a reference in the Office Action, no formal rejection of the claims in light of Wang has been set forth. Nonetheless, for the sake of completeness, Wang will also be briefly addressed herein.

#### U.S. Patent No. 6,470,382 to Wang et al

U.S. Patent No. 6,470,382 to Wang et al ("Wang"), as already noted, discloses a method and apparatus for accommodating more SCSI devices on a bus and for placing them at a greater distance on the bus than would be feasible with a conventional SCSI bus (column 2, lines 50 – 53). This has nothing to do with applicant's claimed invention and merely relates to a system and method for dynamically attaching, managing and accessing a netSCSI device coupled

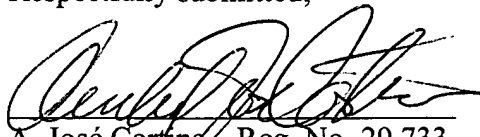
through a network. While the Examiner asserts that there are direct links between a workstation and a target device in which requests are structured as SCSI requests over a TCP/IP link, this is simply not the case, and a mischaracterization of the reference. Wang merely addresses addition and subtraction of SCSI devices on a network which is managed through a common network interface 314 or 370, with servers and clients addressing those SCSI devices through the network, and not through a separate and direct TCP/IP connection between the workstation and the target device on the network, a feature which is now clearly brought out in the claims as amended.

Finally, for the sake of completeness while it is believed that the previously filed declaration of Dean Throop establishes a date of invention, i.e., conception and reduction to practice, of at least as early as January 2000, which makes Yamagami ineffective as reference, for the sake of completeness (although not required) applicant attaches an unsigned additional declaration which applicant intends to file in the near future after obtaining signature from the inventor. The new declaration merely repeats the subject matter of the previously filed declaration with respect to applicant's earliest date of invention, but also references Yamagami specifically. Thus, although this declaration is not believed required, it will be filed for the sake of completeness as soon as the undersigned obtains the inventor's signature.

For the foregoing reasons, it is respectfully urged that all of the claims clearly define patentable subject matter under 35 U.S.C. §§ 102, 103 and 112. Nonetheless, should the Examiner still have comments, questions or suggestions of a nature necessary to expedite prosecution of the application or to place the case in condition for allowance, he is courteously requested to telephone the undersigned at the telephone number listed below.

Dated: April 25, 2006,

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'A. José Cortina', written over a horizontal line.

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Enclosures

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